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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) CR No.: 08-0428 MAG

Plaintiff,) STIPULATION AND [PROPOSED]

v.) _____

BRADLEY CALVIN SAYLOR,

Defendant.

Defendant.)

)

On July 31, 2008, the parties in this case appeared before the Honorable Maria-Elena James for an initial appearance. At that time, the parties stipulated that time should be excluded from the Speedy Trial Act calculation from July 31, 2008 to September 29, 2008 for deferral of prosecution. The parties represented that granting the exclusion was reasonable taking into account the time necessary for the defendant to be evaluated for eligibility for Pretrial Diversion. See 18 U.S.C. § 3161(h)(2). The parties also agreed that the ends of justice served by granting

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STIPULATION AND [PROPOSED] ORDER
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1 such a continuance outweighed the best interests of the public and the defendant in a speedy
2 trial. See 18 U.S.C. § 3161(h)(8)(A).

3
4 SO STIPULATED:

5 JOSEPH P. RUSSONIELLO
6 United States Attorney

7 DATED: 7/31/08

/s/

8 WENDY THOMAS
Special Assistant United States Attorney

9 DATED: 7/31/08

/s/

10 RON TYLER
11 Attorney for Mr. Saylor

12 As the Court found on July 31, 2008, and for the reasons stated above, the Court finds that an
13 exclusion of time between July 31, 2008, and September 29, 2008, is warranted and that the ends
14 of justice served by the continuance outweigh the best interests of the public and the defendant in
15 a speedy trial. See 18 U.S.C. §3161(h)(8)(A). The failure to grant the requested continuance
16 would deny counsel the ability to defer prosecution. See 18 U.S.C. §3161(h)(2).

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18 SO ORDERED.

19 DATED: _____

20 MARIA-ELENA JAMES
United States Magistrate Judge